

ESTTA Tracking number: **ESTTA572202**

Filing date: **11/21/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	L.A. Gear, Inc.		
Entity	Corporation	Citizenship	united states
Address	844 Moraga Drive Los Angeles, CA 90049 UNITED STATES		

Attorney information	Matthew H. Swyers The Trademark Company 344 Maple Avenue West Vienna, VA 22180 UNITED STATES mswyers@thetrademarkcompany.com Phone:8009068626
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Applicant Information

Application No	85737707	Publication date	11/12/2013
Opposition Filing Date	11/21/2013	Opposition Period Ends	12/12/2013
Applicant	Widdoes, Sumner 3178 Abington Drive Los Angeles, CA 90210 DC		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic pants; Athletic shirts; Athletic shoes; Athletic shorts; Athletic skirts; Athletic tights; Baseball caps and hats; Clothing for athletic use, namely, padded elbow compression sleeves being part of an athletic garment; Clothing for athletic use, namely, padded pants; Clothing for athletic use, namely, padded shirts; Clothing for athletic use, namely, padded shorts; Clothing, namely, athletic sleeves; Clothing, namely, base layers; Hats; Headbands for clothing; Jackets; Jerseys; Sports caps and hats; Sweatshirts; Wearable garments and clothing, namely, shirts; Women's clothing, namely, shirts, dresses, skirts, blouses; Woolly hats; Wristbands

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1325941	Application Date	01/07/1983
Registration Date	03/19/1985	Foreign Priority	NONE

		Date	
Word Mark	L. A. GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1982/12/10 First Use In Commerce: 1982/12/10 Shoes, Shirts, Skirts, Shorts, Pants, Dresses, Jackets and Jumpsuits		

U.S. Registration No.	1614968	Application Date	09/22/1989
Registration Date	09/25/1990	Foreign Priority Date	NONE
Word Mark	LOS ANGELES GEAR L.A. GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1987/07/10 First Use In Commerce: 1987/07/10 CLOTHING, NAMELY PANTS, SHORTS, SHIRTS, JACKET, SOCKS, LEGWARMERS, TIGHTS, LEOTARDS, SKIRTS, BLOUSES, OVERALLS, JUMPSUITS, CAPS, VISORS AND HEADBANDS		


U.S. Registration No.	1856290	Application Date	10/05/1990
Registration Date	09/27/1994	Foreign Priority Date	NONE
Word Mark	L.A. GEAR		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1991/10/31 First Use In Commerce: 1991/10/31 footwear; apparel; namely, pants, dresses, shorts, skirts, shirts, blouses, jackets, socks, hats, leotards and tights

U.S. Registration No.	1813728	Application Date	11/04/1991
Registration Date	12/28/1993	Foreign Priority Date	NONE
Word Mark	L.A. GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1989/11/24 First Use In Commerce: 1989/11/24 bags; namely, gym bags, [roll bags,] backpacks, duffle bags, tote bags, [belt bags] and overnight bags [(excluding traditional items of luggage and garment bags)]		

U.S. Registration No.	1779716	Application Date	11/12/1991
Registration Date	06/29/1993	Foreign Priority Date	NONE
Word Mark	L.A. TECH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/11/03 First Use In Commerce: 1992/11/03 footwear and apparel products for men, women and children; namely, shoes, pants, shorts, shirts, blouses, jackets, socks, hats, leotards and tights		

U.S. Registration No.	1815958	Application Date	04/30/1992
Registration Date	01/11/1994	Foreign Priority Date	NONE
Word Mark	LA GEAR		


Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1992/02/03 First Use In Commerce: 1992/02/03 footwear and apparel products for men, women and children; namely, shoes, pants, shorts, shirts, blouses, jackets, overalls, warm-up suits, socks, hats, leotards and tights

U.S. Registration No.	1748439	Application Date	04/30/1992
Registration Date	01/26/1993	Foreign Priority Date	NONE
Word Mark	L.A. GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1991/04/01 First Use In Commerce: 1991/04/01 stationery portfolios, [themebooks,] note books, [memo books,] memo pads, writing pads, [book covers, vinyl binders,] stationery		

U.S. Registration No.	1909357	Application Date	11/16/1992
Registration Date	08/01/1995	Foreign Priority Date	NONE
Word Mark	SO...L.A.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1993/03/05 First Use In Commerce: 1993/03/05 shoes		

U.S. Registration No.	1822900	Application Date	05/24/1993
Registration Date	02/22/1994	Foreign Priority Date	NONE
Word Mark	L.A. LIGHTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/07/01 First Use In Commerce: 1992/07/01 footwear [and apparel] products for men, women and children; namely, shoes [

	, pants, shorts, shirts, blouses, jackets, skirts, overalls, warm-up suits, sweatshirts, socks, hats, leotards and tights]
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U.S. Registration No.	2160298	Application Date	03/31/1997
Registration Date	05/26/1998	Foreign Priority Date	NONE
Word Mark	LA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1997/02/00 First Use In Commerce: 1997/02/00 footwear[and apparel products for men,women and children] , namely, shoes [,boots, pants, shorts, shirts, blouses, skirts, jackets, overalls, warm-up suits, sweatshirts, socks, hats, leotards, and tights]		

U.S. Registration No.	2769442	Application Date	06/29/1999
Registration Date	09/30/2003	Foreign Priority Date	NONE
Word Mark	L.A. GEAR SPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2001/02/10 First Use In Commerce: 2001/03/12 FOOTWEAR		


U.S. Registration No.	2820760	Application Date	09/03/2002
Registration Date	03/09/2004	Foreign Priority Date	NONE
Word Mark	LA BRAT		


Design Mark	LA BRAT
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1988/08/06 First Use In Commerce: 1988/08/06 Footwear

U.S. Registration No.	2831405	Application Date	10/10/2002
Registration Date	04/13/2004	Foreign Priority Date	NONE
Word Mark	L.A. BRAT		
Design Mark	L.A. BRAT		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1988/08/06 First Use In Commerce: 1988/08/06 Footwear		

U.S. Registration No.	3418787	Application Date	05/16/2003
Registration Date	04/29/2008	Foreign Priority Date	NONE
Word Mark	L.A. GIRL		
Design Mark	L.A. GIRL		
Description of Mark	NONE		

Goods/Services	Class 025. First use: First Use: 2008/01/04 First Use In Commerce: 2008/01/04 Footwear		
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U.S. Registration No.	3163405	Application Date	11/11/2003
Registration Date	10/24/2006	Foreign Priority Date	NONE
Word Mark	L.A. GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/01/00 First Use In Commerce: 1996/01/00 Eyewear, namely eyeglasses, sunglasses, and reading glasses		


U.S. Registration No.	3593134	Application Date	02/01/2006
Registration Date	03/17/2009	Foreign Priority Date	NONE
Word Mark	L.A. WALKER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2008/10/03 First Use In Commerce: 2008/10/03 Footwear		


U.S. Registration No.	3315339	Application Date	12/13/2006
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	LAGEAR.COM		

Design Mark	LAGEAR.COM
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2005/08/01 First Use In Commerce: 2005/08/01 Footwear Class 035. First use: First Use: 2006/11/01 First Use In Commerce: 2006/11/01 On-line retail store services featuring footwear


U.S. Registration No.	3387901	Application Date	03/23/2007
Registration Date	02/26/2008	Foreign Priority Date	NONE
Word Mark	JELLYZ BY L.A. GEAR		
Design Mark	JELLYZ BY L.A. GEAR		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2007/07/31 First Use In Commerce: 2007/07/31 Footwear		


U.S. Registration No.	3609673	Application Date	11/20/2007
Registration Date	04/21/2009	Foreign Priority Date	NONE
Word Mark	LA CHEER		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2009/02/18 First Use In Commerce: 2009/02/18 Footwear

U.S. Registration No.	3620645	Application Date	04/28/2008
Registration Date	05/12/2009	Foreign Priority Date	NONE
Word Mark	L.A. RUNNER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2008/10/22 First Use In Commerce: 2008/10/22 Footwear		

U.S. Registration No.	3818995	Application Date	06/23/2008
Registration Date	07/13/2010	Foreign Priority Date	NONE
Word Mark	L.A. TECH		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2009/12/31 First Use In Commerce: 2009/12/31 Footwear

U.S. Registration No.	3844628	Application Date	02/01/2010
Registration Date	09/07/2010	Foreign Priority Date	NONE
Word Mark	LA		
Design Mark			
Description of Mark	The mark consists of "L" with a stylized "A".		
Goods/Services	Class 025. First use: First Use: 1992/02/03 First Use In Commerce: 1992/02/03 Footwear		

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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Matthew H. Swyers/
Name	Matthew H. Swyers
Date	11/21/2013

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,325,941

Registered Mar. 19, 1985

TRADEMARK
Principal Register



L. A. Gear California, Inc. (California corporation)
122 W. 25th St.
Los Angeles, Calif. 90007, assignee of
Goodtimes U.S.A., Inc. (California corporation)
Los Angeles, Calif.

For: SHOES, SHIRTS, SKIRTS, SHORTS,
PANTS, DRESSES, JACKETS AND JUMPSUITS,
in CLASS 25 (U.S. Cl. 39).

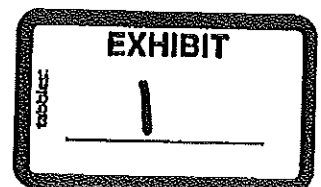
First use Dec. 10, 1982; in commerce Dec. 10,
1982.

No claim is made to the exclusive right to use the
word "Gear", apart from the mark as shown.

Sec. 2(f).

Ser. No. 408,426, filed Jan. 7, 1983.

DEBORAH S. COHN, Examining Attorney



Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,614,968

Registered Sep. 25, 1990

**TRADEMARK
PRINCIPAL REGISTER**



L.A. GEAR, INC. (CALIFORNIA CORPORATION)
4221 REDWOOD AVENUE
LOS ANGELES, CA 90066

FOR: CLOTHING, NAMELY PANTS, SHORTS, SHIRTS, JACKETS, SOCKS, LEG-WARMERS, TIGHTS, LEOTARDS, SKIRTS, BLOUSES, OVERALLS, JUMPSUITS, CAPS, VISORS AND HEADBANDS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 7-10-1987; IN COMMERCE 7-10-1987.

OWNER OF U.S. REG. NOS. 1,325,941, 1,545,306 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LOS ANGELES" AND "GEAR", APART FROM THE MARK AS SHOWN.

SEC. 2(F) AS TO "L.A. GEAR".

SER. NO. 73-826,956, FILED 9-22-1989.

SANDRA PARRAH, EXAMINING ATTORNEY

EXHIBIT

2

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,856,290

Registered Sep. 27, 1994

TRADEMARK
PRINCIPAL REGISTER



L.A. GEAR, INC. (CALIFORNIA CORPORATION)
4221 REDWOOD AVENUE
LOS ANGELES, CA 90066

FOR: FOOTWEAR; APPAREL; NAMELY, PANTS, DRESSES, SHORTS, SKIRTS, SHIRTS, BLOUSES, JACKETS, SOCKS, HATS, LEOTARDS AND TIGHTS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 10-31-1991; IN COMMERCE 10-31-1991.

OWNER OF U.S. REG. NOS. 1,325,941, 1,614,968, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GEAR", APART FROM THE MARK AS SHOWN.

SEC. 2(F) AS TO "L.A. GEAR".

SN 74-103,547, FILBD 10-5-1990.

JULIE CLINTON, EXAMINING ATTORNEY

EXHIBIT

3

Int. Cl.: 18

Prior U.S. Cl.: 3

United States Patent and Trademark Office

Reg. No. 1,813,728
Registered Dec. 28, 1993

**TRADEMARK
PRINCIPAL REGISTER**

L.A. GEAR

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
4221 REDWOOD AVENUE
LOS ANGELES, CA 90066

FOR: BAGS; NAMELY, GYM BAGS, ROLL BAGS, BACKPACKS, DUFFLE BAGS, TOTE BAGS, BELT BAGS AND OVERNIGHT BAGS (EXCLUDING TRADITIONAL ITEMS OF LUGGAGE AND GARMENT BAGS), IN CLASS 18 (U.S. CL. 3).

FIRST USE 11-24-1989; IN COMMERCE 11-24-1989.

OWNER OF U.S. REG. NOS. 1,325,941, 1,668,581 AND OTHERS.

SEC. 2(F).

SER. NO. 74-218,966, FILED 11-4-1991.

JULIE CLINTON, EXAMINING ATTORNEY

EXHIBIT

4

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office Reg. No. 1,779,716
Registered June 29, 1993

**TRADEMARK
PRINCIPAL REGISTER**

L.A. TECH

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
4221 REDWOOD AVENUE
LOS ANGELES, CA 90066

FOR: FOOTWEAR AND APPAREL PRODUCTS FOR MEN, WOMEN AND CHILDREN; NAMELY, SHOES, PANTS, SHORTS, SHIRTS, BLOUSES, JACKETS, SOCKS, HATS, LEOTARDS AND TIGHTS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 11-3-1992; IN COMMERCE 11-3-1992.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "L.A.", APART FROM THE MARK AS SHOWN.

SN 74-221,235, FILED 11-12-1991.

KATHERINE STOIDES, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,815,958
Registered Jan. 11, 1994

TRADEMARK
PRINCIPAL REGISTER



L.A. GEAR, INC. (CALIFORNIA CORPORATION)
4221 REDWOOD AVENUE
LOS ANGELES, CA 90066

FOR: FOOTWEAR AND APPAREL PRODUCTS FOR MEN, WOMEN AND CHILDREN; NAMELY, SHOES, PANTS, SHORTS, SHIRTS, BLOUSES, JACKETS, OVERALLS, WARM-UP SUITS, SOCKS, HATS, LEOTARDS AND TIGHTS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 2-3-1992; IN COMMERCE 2-3-1992.

OWNER OF U.S. REG. NOS. 1,449,818, 1,663,581 AND OTHERS.

SEC. 2(f) AS TO "LA GEAR".

SBR. NO. 74-270,774, FILED 4-30-1992.

JULIE CLINTON, EXAMINING ATTORNEY

EXHIBIT

6

Int. Cl.: 16

Prior U.S. Cl.: 37

United States Patent and Trademark Office

Reg. No. 1,748,439

Registered Jan. 26, 1993

**TRADEMARK
PRINCIPAL REGISTER**

L.A. GEAR

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
4221 REDWOOD AVENUE
LOS ANGELES, CA 90066

FOR: STATIONERY PORTFOLIOS, THEME-BOOKS, NOTE BOOKS, MEMO BOOKS, MEMO PADS, WRITING PADS, BOOK COVERS, VINYL BINDERS, STATIONERY, IN CLASS 16 (U.S. CL. 37).

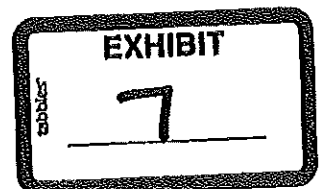
FIRST USE 4-1-1991; IN COMMERCE 4-1-1991.

OWNER OF U.S. REG. NOS. 1,325,941, 1,668,581 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "L.A.", APART FROM THE MARK AS SHOWN.

SER. NO. 74-270,767, FILED 4-30-1992.

JULIE CLINTON, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 1,909,357

Registered Aug. 1, 1995

**TRADEMARK
PRINCIPAL REGISTER**

SO...L.A.

SKECHERS U.S.A., INC. (CALIFORNIA CORPORATION)
1142 MANHATTAN AVENUE //225
MANHATTAN BEACH, CA 90266

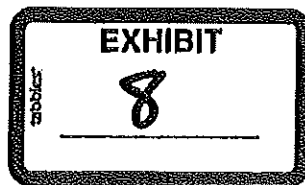
NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "L.A.", APART FROM THE
MARK AS SHOWN.

FOR: SHOES, IN CLASS 25 (U.S. CLS. 22 AND
39).

SN 74-802,343, FILED 11-16-1992.

FIRST USE 3-5-1993; IN COMMERCE
3-5-1993.

ANDREW D. LAWRENCE, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,822,900
Registered Feb. 22, 1994

**TRADEMARK
PRINCIPAL REGISTER**

L.A. LIGHTS

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
2850 OCEAN PARK BOULEVARD
SANTA MONICA, CA 90405

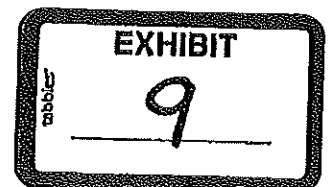
FOR: FOOTWEAR AND APPAREL PRODUCTS FOR MEN, WOMEN AND CHILDREN; NAMELY, SHOES, PANTS, SHORTS, SHIRTS, BLOUSES, JACKETS, SKIRTS, OVERALLS,

WARM-UP SUITS, SWEATSHIRTS, SOCKS, HATS, LEOTARDS AND TIGHTS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 7-1-1992; IN COMMERCE 7-1-1992.

SER. NO. 74-393,748, FILED 5-24-1993.

LESLEY LAMOTHE, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,160,298

United States Patent and Trademark Office

Registered May 26, 1998

**TRADEMARK
PRINCIPAL REGISTER**



L.A. GEAR, INC. (CALIFORNIA CORPORATION)
2850 OCEAN PARK BOULEVARD
SANTA MONICA, CA 90401

FOR: FOOTWEAR AND APPAREL PRODUCTS FOR MEN, WOMEN AND CHILDREN, NAMELY, SHOES, BOOTS, PANTS, SHORTS, SHIRTS, BLOUSES, SKIRTS, JACKETS, OVERALLS, WARM-UP SUITS, SWEATSHIRTS, SOCKS, HATS, LEOTARDS, AND TIGHTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-0-1997, FIRST USED IN ANOTHER FORM IN FEBRUARY 1992; IN COMMERCE 2-0-1997, FIRST USED IN COMMERCE IN ANOTHER FORM IN FEBRUARY 1992.

OWNER OF U.S. REG. NOS. 1,792,665, 1,959,616 AND OTHERS.

SEC. 2(F) AS TO "LA".

SER. NO. 75-266,551, FILED 3-31-1997.

CHARLES WEIGBLL, EXAMINING ATTORNEY

EXHIBIT

10

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,769,442

Registered Sep. 30, 2003

**TRADEMARK
PRINCIPAL REGISTER**

L.A. GEAR SPORT

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
5900 RODEO ROAD
LOS ANGELES, CA 90016

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "SPORT", APART FROM THE
MARK AS SHOWN.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SEC. 2(F) AS OF "L.A. GEAR".

FIRST USE 2-10-2001; IN COMMERCE 3-12-2001.

SN 75-739,493, FILBD 6-29-1999.

OWNER OF U.S. REG. NOS. 1,325,941, 2,102,784,
AND OTHERS.

JERI J. PICKES, EXAMINING ATTORNEY

EXHIBIT

11

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,820,760

Registered Mar. 9, 2004

**TRADEMARK
PRINCIPAL REGISTER**

LA BRAT

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
5900 RODEO ROAD
POST OFFICE BOX 78308
LOS ANGELES, CA 90016

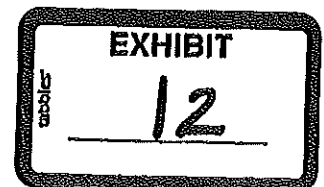
NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "LA", APART FROM THE MARK
AS SHOWN.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SER. NO. 76-446,257, FILED 9-3-2002.

FIRST USE 8-6-1988; IN COMMERCE 8-6-1988.

CHRISTOPHER BUONGIORNO, EXAMINING AT-
TORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,831,405

Registered Apr. 13, 2004

**TRADEMARK
PRINCIPAL REGISTER**

L.A. BRAT

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
5900 RODEO ROAD
POST OFFICE BOX 78308
LOS ANGELES, CA 90016

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "L.A.", APART FROM THE MARK
AS SHOWN.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SER. NO. 76-457,538, FILED 10-10-2002.

FIRST USE 8-6-1988; IN COMMERCE 8-6-1988.

ROBERT C. CLARK JR., EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,418,787

Registered Apr. 29, 2003

**TRADEMARK
PRINCIPAL REGISTER**

L.A. GIRL

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

OWNER OF U.S. REG. NOS. 1,939,616, 2,160,298,
AND OTHERS.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SN 76-514,815, FILED 5-16-2003.

FIRST USE 1-4-2003; IN COMMERCE 1-4-2003.

INGA BRYN, EXAMINING ATTORNEY



Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,163,405

Registered Oct. 24, 2006

TRADEMARK
PRINCIPAL REGISTER

L.A. GEAR

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

OWNER OF U.S. REG. NOS. 1,325,941, 2,160,298,
AND OTHERS.

FOR: EYEWEAR, NAMELY EYEGLASSES, SUN-
GLASSES, AND READING GLASSES, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

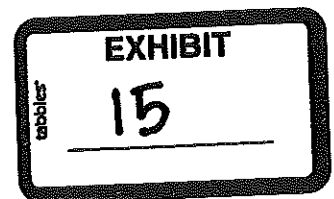
SEC. 2(F).

FIRST USE 1-0-1996; IN COMMERCE 1-0-1996.

SN 78-326,235, FILED 11-11-2003.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

ALLISON HOLTZ, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,593,134

Registered Mar. 17, 2009

TRADEMARK
PRINCIPAL REGISTER

L.A. WALKER

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DR.
LOS ANGELES, CA 90049

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "WALKER", APART FROM THE
MARK AS SHOWN.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SEC. 2(F) AS TO "L.A.".

FIRST USE 10-3-2008; IN COMMERCE 10-3-2008.

SN 78-804,251, FILED 2-1-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

CHARLES L. JENKINS, EXAMINING ATTORNEY



Int. Cls.: 25 and 35

Prior U.S. Cls.: 22, 39, 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,315,339

Registered Oct. 23, 2007

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

LAGEAR.COM

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

OWNER OF U.S. REG. NOS. 1,325,941, 1,815,958,
AND 2,160,298.

FIRST USE 8-1-2005; IN COMMERCE 8-1-2005.

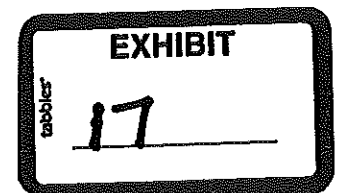
SEC. 2(F) AS TO "LAGBAR".

FOR: ON-LINE RETAIL STORE SERVICES FEA-
TURING FOOTWEAR, IN CLASS 35 (U.S. CLS. 100,
101 AND 102).

SER. NO. 76-670,303, FILED 12-13-2006.

FIRST USE 11-1-2006; IN COMMERCE 11-1-2006.

CHERYL CLAYTON, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,387,901

Registered Feb. 26, 2008

TRADEMARK
PRINCIPAL REGISTER

JELLYZ BY L.A. GEAR

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

OWNER OF U.S. REG. NOS. 1,325,941, 1,856,290
AND OTHERS.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "JELLIES", APART FROM THE
MARK AS SHOWN.

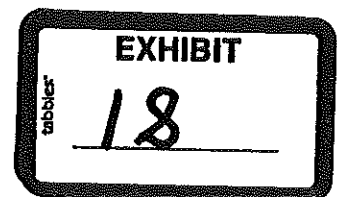
FIRST USE 7-31-2007; IN COMMERCE 7-31-2007.

SEC. 2(F) AS TO "L.A. GEAR".

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-138,944, FILED 3-23-2007.

G. MAYERSCHOFF, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,609,673

Registered Apr. 21, 2009

TRADEMARK
PRINCIPAL REGISTER

LA CHEER

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

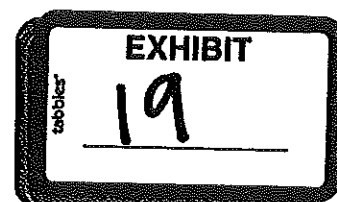
FIRST USE 2-18-2009; IN COMMERCE 2-18-2009.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "LA", APART FROM THE MARK
AS SHOWN.

SN 77-334,617, FILED 11-20-2007.

JIM RINGLE, EXAMINING ATTORNEY



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,620,645

Registered May 12, 2009

TRADEMARK
PRINCIPAL REGISTER

L.A. RUNNER

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "RUNNER", APART FROM THE
MARK AS SHOWN.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SEC. 2(F) AS TO "L.A.".

FIRST USE 10-22-2008; IN COMMERCE 10-22-2008.

SN 77-459,943, FILED 4-28-2008.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

BRIAN NEVILLE, EXAMINING ATTORNEY



United States of America

United States Patent and Trademark Office

L.A. TECH

Reg. No. 3,818,995

Registered July 13, 2010

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 12-31-2009; IN COMMERCE 12-31-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "L.A.", APART FROM THE MARK AS SHOWN.

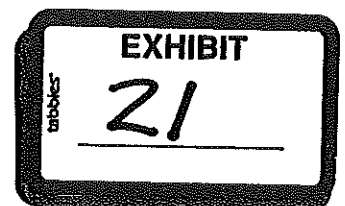
SN 77-505,901, FILED 6-23-2008.

BRIAN NEVILLE, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office



United States of America

United States Patent and Trademark Office



Reg. No. 3,844,628
Registered Sep. 7, 2010
Int. Cl.: 25

TRADEMARK
PRINCIPAL REGISTER

L.A. GEAR, INC. (CALIFORNIA CORPORATION)
844 MORAGA DRIVE
LOS ANGELES, CA 90049

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-3-1992; IN COMMERCE 2-3-1992.

OWNER OF U.S. REG. NOS. 1,792,665, 2,160,298 AND OTHERS.

THE MARK CONSISTS OF "L" WITH A STYLIZED "A".

SEC. 2(F) AS TO "LA".

SER. NO. 77-925,036, FILED 2-1-2010.

KATHY DE JONGE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

In the Matter of Serial No.: 85/737,707 for the trademark application
OK LA

L.A. Gear, Inc.,

Opposer,

vs.

Widdoes, Sumner, D/B/A OK LA

Applicant.

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Opposition No. _____

NOTICE OF OPPOSITION

COMES NOW L.A. Gear, Inc., a California corporation, with a principal place of business located at 844 Moraga Drive Los Angeles, California 90049 (hereinafter, “Opposer”), by counsel, The Trademark Company, and states that it believes it will be damaged by the registration of the trademark OK LA as more fully set forth in Serial No. 85/737,707 as filed for by Sumner Widdoes, D/B/A OK LA, a District of Columbia Sole Proprietorship with a principal mailing address of 3178 Abington Drive, Los Angeles, California 90210 (hereinafter “Applicant”) and, accordingly, opposes the granting of said registration.

As grounds for this opposition, it is alleged that:

1. For many years, L.A. Gear, Inc. (referred to as “Opposer”) has been and now is engaged in the development and production of footwear and apparel products for men, women and children; namely shoes, pants, shorts, shirts, dresses, skirts, blouses, jackets, overalls, warm-up suits, socks, hats, leotards, tights, legwarmers, caps, visors,

and headbands; eyewear, namely eyeglasses, sunglasses, and reading glasses; bags; namely gym bags, backpacks, duffle bags, tote bags, and overnight bags; stationary portfolios, notebooks, memo pads, writing pads, and stationery.

2. Opposer has spent large sums of money and expended tremendous effort in promoting goods and services under its L.A. GEAR and related marks which have become famous and associated exclusively with Opposer and its goods and services. The goodwill of the business connected with the use of, and symbolized by, the L.A. GEAR marks and is an asset of incalculable value.

3. Specifically, Opposer is the owner of the United States Patent and Trademark Registration No. 1,325,941 which was filed on January 7, 1983 for the mark and design L.A. GEAR for goods used in connection with “shoes, shirts, skirts, shorts, pants, dresses, jackets and jumpsuits” in International Class 25. The registration maintains a date of first use of at least as early as December 10, 1982. See Exhibit No. 1.

4. Opposer is the owner of the United States Patent and Trademark Registration No. 1,614,968 which was filed on September 22, 1989 for the mark and design LOS ANGELES GEAR L.A. GEAR for goods used in connection with clothing, namely pants, shorts, shirts, jackets, socks, legwarmers, tights, leotards, skirts, blouses, overalls, jumpsuits, caps, visors and headbands” in International Class 25. The registration maintains a date of first use of at least as early as July 1987. See Exhibit No. 2.

5. Opposer is the owner of the United States Patent and Trademark Registration No. 1,856,290 which was filed on October 5, 1990 for the mark and design L.A. GEAR for goods used in connection with “footwear; apparel; namely, pants,

dressess, shorts, skirts, shirts, blouses, jackets, socks, hats, leotards and tights” in International Class 25. The registration maintains a date of first use of at least as early as October 31, 1991. See Exhibit No. 3.

6. Opposer is the owner of the United States Patent and Trademark Registration No. 1,813,728 which was filed on November 4, 1991 for the mark L.A. GEAR for goods used in connection with “bags; namely, gym bags, backpacks, duffle bags, tote bags, and overnight bags” in International Class 18. The registration maintains a date of first use of at least as early as November 24, 1989. See Exhibit No. 4.

7. Opposer is the owner of the United States Patent and Trademark Registration No. 1,779,716 which was filed on November 12, 1991 for the mark L.A. TECH for goods used in connection with “footwear and apparel products for men, women and children; namely, shoes, pants, shorts, shirts, blouses, jackets, socks, hats, leotards and tights” in International Class 25. The registration maintains a date of first use of at least as early as November 3, 1992. See Exhibit No. 5.

8. Opposer is the owner of the United States Patent and Trademark Registration No. 1,815,958 which was filed on April 30, 1992 for the mark and design L.A. GEAR for goods used in connection with “footwear and apparel products for men, women and children; namely, shoes, pants, shorts, shirts, blouses, jackets, overalls, warm-up suits, socks, hats, leotards and tights” in International Class 25. The registration maintains a date of first use of at least as early as February 3, 1992. See Exhibit No. 6.

9. Opposer is the owner of the United States Patent and Trademark Registration No. 1,748,439 which was filed on April 30, 1992 for the mark L.A. GEAR for goods in connection with “stationery portfolios, note books, memo pads, writing pads,

stationery” in International Class 16. The registration maintains a date of first use of at least as early as April 1, 1991. See Exhibit No. 7.

10. Opposer is the owner of the United States Patent and Trademark Registration No. 1,909,357 which was filed on November 16, 1992 for the mark SO...L.A. for goods used in connection with “shoes” in International Class 25. The registration maintains a date of first use of at least as early as March 5, 1993. See Exhibit No. 8.

11. Opposer is the owner of the United States Patent and Trademark Registration No. 1,822,900 which was filed on May 24, 1993 for the mark L.A. LIGHTS for goods used in connection with “footwear products for men, women and children; namely, shoes” in International Class 25. The registration maintains a date of first use of at least as early as July 1, 1992. See Exhibit No. 9.

12. Opposer is the owner of the United States Patent and Trademark Registration No. 2,160,298 which was filed on March 31, 1997 for the mark and design LA for goods used in connection with “footwear; namely, shoes” in International Class 25. The registration maintains a date of first use of at least as early as February 1997. See Exhibit No. 10.

13. Opposer is the owner of the United States Patent and Trademark Registration No. 2,769,442 which was filed on June, 29 1999 for the mark L.A. GEAR SPORT for goods used in connection with “Footwear” in International Class 25. The registration maintains a date of first use of at least as early as February 10, 2001. See Exhibit No. 11.

14. Opposer is the owner of the United States Patent and Trademark Registration No. 2,820,760 which was filed on September 3, 2002 for the mark LA BRAT for goods used in connection with “footwear” in International Class 25. The registration maintains a date of first use of at least as early as August 6, 1988. See Exhibit No. 12.

15. Opposer is the owner of the United States Patent and Trademark Registration No. 2,831,405 which was filed on October 10, 2002 for the mark LA BRAT for goods used in connection with “footwear” in International Class 25. The registration maintains a date of first use of at least as early as August 6, 1988. See Exhibit No. 13.

16. Opposer is the owner of the United States Patent and Trademark Registration No. 3,418,787 which was filed on May 16, 2003 for the mark L.A. GIRL for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as January 4, 2008. See Exhibit No. 14.

17. Opposer is the owner of the United States Patent and Trademark Registration No. 3,163,405 which was filed on November 11, 2003 for the mark L.A. GEAR for goods used in connection with “Eyewear, namely eyeglasses, sunglasses, and reading glasses.” In International Class 9. The registration maintains a date of first use of at least as early as January, 1996. See Exhibit No. 15.

18. Opposer is the owner of the United States Patent and Trademark Registration No. 3,593,134 which was filed on February 1, 2006 for the mark L.A. WALKER for goods used in connection with “Footwear” in International Class 25. The registration maintains a date of first use of at least as early as October 3, 2008. See Exhibit No. 16.

19. Opposer is the owner of the United States Patent and Trademark Registration No. 3,315,339 which was filed on December 13, 2006 for the mark LAGEAR.COM for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as August 1, 2005. The mark LAGEAR.COM is also representative of services used in connection with “On-line retail store services featuring footwear.” In International Class 35. The registration maintains a date of first use of at least as early as November 1, 2006. See Exhibit No. 17.

20. Opposer is the owner of the United States Patent and Trademark Registration No. 3,387,901 which was filed on March 23, 2007 for the mark JELLYZ BY L.A. GEAR for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as July 31, 2007. See Exhibit No. 18.

21. Opposer is the owner of the United States Patent and Trademark Registration No. 3,609,673 which was filed on November 20, 2007 for the mark LA CHEER for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as February 18, 2009. See Exhibit No. 19.

22. Opposer is the owner of the United States Patent and Trademark Registration No. 3,620,645 which was filed on April 28, 2008 for the mark L.A. RUNNER for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as August 22, 2008. See Exhibit No. 20.

23. Opposer is the owner of the United States Patent and Trademark Registration No. 3,818,995 which was filed on June 23, 2008 for the mark L.A. TECH for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as December 31, 2009. See Exhibit No. 21.

24. Opposer is the owner of the United States Patent and Trademark Registration No. 3,844,628 which was filed on February 1, 2010 for the mark and design LA for goods used in connection with “Footwear.” in International Class 25. The registration maintains a date of first use of at least as early as February 3, 1992. See Exhibit No. 22.

25. Applicant filed an Intent-to-Use Application with the United States Patent and Trademark Office for the mark OK LA on or about September 25, 2012 to be used in connection with the following goods covered in:

International Class 25: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic pants; Athletic shirts; Athletic shoes; Athletic shorts; Athletic skirts; Athletic tights; Baseball caps and hats; Clothing for athletic use, namely, padded elbow compression sleeves being part of an athletic garment; Clothing for athletic use, namely, padded pants; Clothing for athletic use, namely, padded shirts; Clothing for athletic use, namely, padded shorts; Clothing, namely, athletic sleeves; Clothing, namely, base layers; Hats; Headbands for clothing; Jackets; Jerseys; Sports caps and hats; Sweatshirts; Wearable garments and clothing, namely, shirts; Women's clothing, namely, shirts, dresses, skirts, blouses; Woolly hats; Wristbands.

26. Upon information and belief, Applicant's Application for LA OK was filed on an intent-to-use basis and has not established a date of first use in commerce.

27. The Applicant's Application received Serial No. 85/737,707.

28. Applicant's mark published for opposition on November 12, 2013.

29. Upon information and belief, Applicant has not sold or offered any goods under Applicant's Mark.

30. There is no issue of priority. Upon information and belief, Applicant has not acquired rights in Applicant's Mark before Opposer acquired rights in Opposer's Mark.

31. Applicant's applied-for mark is confusingly similar to the marks of Opposer identified in the attached Exhibits 1-22.

32. That the predominant feature of Applicant's Mark and Opposer's Marks, identified more fully on Federal Trademark Registrations: 2,160,298, 3,844,628 and 1,815,958 (Exhibit No.'s: 6, 10, and 22) is the term "LA"; rendering Applicant's mark to be confusingly similar to Opposer's aforementioned marks.

33. Opposer's first use of its corporate name and filing dates of applications identified in Exhibit 1-22 are earlier than Applicant's filing date of the Application. Additionally, upon information and belief, Applicant has yet to use the OK LA mark in commerce.

34. Upon information and belief, Applicant's goods and services will be offered to the same classes of consumers and at least through some of the same channels of trade as Opposer's goods and services. As applied to Applicant's goods, Applicant's

OK LA mark so resembles the Opposer's L.A. GEAR and related marks that it is likely to cause confusion, or cause to mistake, or to deceive as to the source of the goods.

35. Upon information and belief, registration of Applicant's OK LA mark will diminish and dilute the distinctive quality of Opposer's famous L.A. GEAR Marks. Customers and potential customers are likely to believe that Applicant's goods originate from, or are sponsored and approved by Opposer when that is not the case. Any dissatisfaction with Applicant's goods would reflect upon and irreparably damage Opposer's reputation and goodwill embodied in its L.A. GEAR marks and name.

36. Opposer will be damaged by Applicant's registration of the OK LA mark for the goods covered in International Class 25 as more fully identified in US Serial No. 85/737,707 as a result of the aforementioned confusion, mistake, and deception.

37. If Applicant is granted the registration of the application as more fully identified by Serial No. 85/737,707, it would support statutory rights for Applicant in violation and derogation of Opposer's prior rights which would be a source of damage to Opposer.

38. By reason of the foregoing, Applicant is not entitled to registration of the OK LA trademark as more fully identified in Federal Trademark Application Serial No. 85/737,707 for goods covered International Class 25.

WHEREFORE, Opposer respectfully requests that the Application, Serial No. 85/737,707 be rejected for goods covered in International Class 25, and that this opposition be sustained in favor of the Opposer.

Respectfully submitted this 21st of November, 2013.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

Matthew H. Swyers, Esq.

344 Maple Avenue West, Suite 151

Vienna, VA 22180

Tel. (800) 906-8626

Facsimile (270) 477-4574

mswyers@thetrademarkcompany.com

Counsel for Opposer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

In the Matter of Serial No.: 85/737,707 for the trademark application
OK LA

L.A. Gear, Inc.,	:	
	:	
Opposer,	:	
	:	
vs.	:	Opposition No. _____
	:	
Widdoes, Sumner, D/B/A OK LA	:	
	:	
Applicant.	:	
_____	:	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing this 21st day of Nov.
2013 to be served, via first class mail, postage prepaid, upon:

Sumner Widdoes
D/B/A OK LA
3178 Abington Drive
Los Angeles, California 90210

And

Erik M. Pelton, Esq.
Erik M. Pelton & Associates, PLLC
PO Box 100637
Arlington, VA 22210

/Matthew H. Swyers/
Matthew H. Swyers